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JC675 U.S. PTO

Express Mail Label No. EL172582453

Docket No.: END9 2000 0104 US1

**NEW UTILITY PATENT APPLICATION TRANSMITTAL****(Large Entity)***(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Total Pages this Submission:3

**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**System and Method for Clustering Servers for Performance and Load Balancing**

and invented by: ROBERT C. BEASLEY, SUSAN B. CIRULLI, WENDY D. NEUBERGER, JOHN D'ESPOSITO

**If a CONTINUATION APPLICATION**, check the appropriate box and supply the requisite information:☐ Continuation    ☐ Divisional    ☐ Continuation-in-part(CIP) of prior application  
No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

01. ☒ Filing fee as calculated and transmitted as described below
02. ☒ Specification having 82 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure
03. ☒ Drawing(s) when necessary as prescribed by 35 USC 113)
  - a. ☐ Formal
  - b. ☐ Informal

Number of sheets: 20

JC675 U.S. PTO

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09/07/00

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Total Pages this Submission:3

**Application Elements (Continued)**

04. ☒ Oath or Declaration
- a. ☐ Newly executed (original or copy) ☒ Not executed
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
05. ☐ Incorporation By Reference *(usable if box 4b is checked)*
- The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of accompanying application and is hereby incorporated by reference therein.
06. ☐ Computer Program in Microfiche *(Appendix)*
07. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy *(identical to computer copy)*
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

08. ☐ Assignment Papers *(cover sheet & document(s))*
09. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS citation
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail (Label No: EL172582453)
15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*

**NEW UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Total Pages this Submission:3

**Accompanying Application Parts (Continued)**

16. ☐ Additional Enclosures (identify below)

**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	# Filed	# Allowed	# Extra	Rate	Fee
Total Claims	16	-20	0	x \$18.00	\$
Indep. Claims	4	- 3	1	x \$78.00	\$ 78.00
Multiple Dependent Claims _____					\$
				<b>BASIC FEE</b>	\$ 690.00
Other FEE (Specify purpose)					\$
				<b>TOTAL FILING FEE</b>	\$ 768.00

- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit IBM Corporation Deposit Account No. 09-0457 as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of \$ 768.00 as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees as required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated:

31 Aug 2000

Shelley M Beckstrand  
 Signature

Shelley M Beckstrand  
 Reg. No. 24,886

314 Main Street  
 Owego, NY 13827-1616  
 Phone: (607) 687-9913

CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: R. C. Beasley, et al  
Serial No.: N/A Group No.: N/A  
Filed: Herewith Examiner: N/A  
For: System and Method for Clustering Servers for Performance and Load Balancing

Assistant Commissioner For Patents  
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number: EL172582453

Date of Deposit: 09/07/00

I hereby certify that the following attached paper or fee

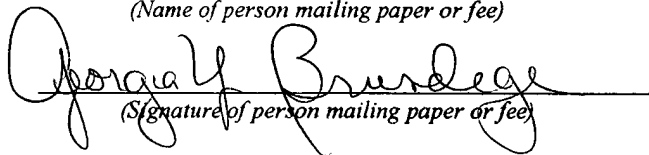
New Utility Patent Application Transmittal  
Specification: 82 pages (including claims)  
Declaration and Power of Attorney  
Drawings (20 sheets)

Express Mail Certificate  
Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Georgia Y. Brundage

(Name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)

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NOTE: The label number need not be placed on each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail". Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings, it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label number is placed.

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